



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**FEB 23 2017**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**Article Number:** 7016 2070 0001 1397 3782

Mr. James F. Lacey, CPWM  
Executive Director  
The Brick Township Municipal Utilities Authority  
1551 Highway 88  
West Brick, NJ 08724

Re: Request for Information Pursuant to Section 1445 of the Safe Drinking Water Act  
Docket Number SDWA-PWS-IR-17-015  
Brick Township MUA (PWS ID # NJ1506001)

Dear Mr. Lacey:

The United States Environmental Protection Agency (EPA) is responsible for assuring public water systems provide safe drinking water in accordance with the Safe Drinking Water Act (SDWA or Act), 42 U.S.C. §§300f - 300j-26, and the regulations promulgated pursuant to the Act. SDWA Section 1445 and 40 Code of Federal Regulations (C.F.R.) Part 141 Subpart D (§141.31) authorizes the EPA to require the submittal of information so it can determine a public water system's compliance with federal drinking water regulations. Under the authority of Section 1445(a)(1)(B) of the SDWA, as amended, 42 U.S.C. §300j-4(a)(1)(B), EPA Region 2 hereby requests that the Brick Township Municipal Utilities Authority (BTMUA) provide the information described below within the indicated time frame. EPA seeks this information to determine whether the system referenced above is in compliance with the requirements of the Lead and Copper Rule (LCR).

The federal regulations (40 C.F.R. Part 141) define a public water system (PWS) as a system which provides piped water for human consumption, having at least (15) service connections or regularly serving an average of at least twenty-five (25) individual daily for at least sixty (60) days out of the year. The system includes any collection, treatment, storage and distribution facilities, whether or not they are under the control of the operator of the system, used primarily in connection with such a system. Based on the Safe Drinking Water Information System (SDWIS), your system is a PWS which serves 80,494 people and therefore is required to comply with the requirements of the SDWA. Your facility exceeded the action level of 0.015 mg/L for lead in August 2014.

Within thirty (30) Days of receipt of this letter, EPA requests the following:

1. A copy of your public education (PE) materials delivered since January 1, 2014 and certification that BTMUA completed it as required in accordance with 40 C.F.R. §141.85.

2. Copies of all lead and copper sample results for samples taken since January 1, 2014 pursuant to the LCR.
3. Copies of your 90th percentile calculations for each monitoring period since January 1, 2014.
4. Copies of all corrosion control treatment correspondence including short and long term plans for compliance with lead and copper action level.
5. Copies of all water quality parameter results for samples taken since January 1, 2014.
6. Copies of all source water monitoring results for samples taken since January 1, 2014.

Please submit this information to:

Stephanie Sessoms-Midgett, Acting Chief  
Groundwater Compliance Section  
U.S. EPA, Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007-1866

Please be advised that, under Section 1445(c) of the SDWA, 42 U.S.C. §300j-4(c), and 40 C.F.R. §19.4, Table 1, failure to provide information required by this letter may result in a civil penalty of up to \$54,789. In addition, under SDWA Section 1414(g), 42 U.S.C. §300g-3(g), failure to provide the information required by this letter may result in an order requiring compliance. Violation of such order may lead to sanctions under SDWA Section 1414, 42 U.S.C. §300g-3 g(3)(A) and 40 C.F.R. §19.4, Table 1, which include penalties of up to \$54,789 per day of violation. The information provided in response to this letter may be used by the United States in administrative, civil or criminal proceedings.

You may, if you so desire, assert a confidential business information (CBI) claim covering any or all of the information furnished to EPA in response to this letter. Every CBI claim must be made in a manner described in 40 C.F.R. Part 2, Subpart B, and must be fully substantiated with documentary evidence which shows how the claim meets each and every criterion listed in 40 C.F.R. §§2.208 and 2.304. If no CBI claim accompanies your information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paper Reduction Act because it is not an “informal collection request” within the meaning of 44 U.S.C. §§3502(4) & (11), 33507, 3512 and 3518. Furthermore, it is exempt from OMB review under the Paper Reduction Act because it is directed to fewer than 10 persons. 44 U.S.C. §§3502(4), (11); 5 C.F.R. §1320.5(a)

If you have any questions regarding this matter, please call me at (212) 637-4244 or contact Stephanie Sessoms-Midgett of my staff at (212) 637-3352.

Sincerely,

*Lang Rayle for N.K.*

Nicole Foley Kraft, Acting Chief  
Water Compliance Branch

cc: Marcedius Jameson, NJDEP  
Patricia Gardner, NJDEP